

# Union Calendar No. 427

105<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 2370

[Report No. 105-742]

To amend the Organic Act of Guam for the purposes of clarifying the local judicial structure and the office of Attorney General.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 31, 1997

Mr. UNDERWOOD (for himself, Mr. MILLER of California, and Mr. ABERCROMBIE) introduced the following bill; which was referred to the Committee on Resources

SEPTEMBER 24, 1998

Additional sponsors: Ms. CHRISTIAN-GREEN and Mr. ROMERO-BARCELÓ

SEPTEMBER 24, 1998

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on July 31, 1997]

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## A BILL

To amend the Organic Act of Guam for the purposes of clarifying the local judicial structure and the office of Attorney General.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       *This Act may be cited as the “Guam Organic Act*  
3 *Amendments of 1998”.*

4 **SEC. 2. ATTORNEY GENERAL OF GUAM.**

5       *Section 29 of the Organic Act of Guam (48 U.S.C.*  
6 *1421g) is amended by adding at the end the following new*  
7 *subsection:*

8       “(d)(1) *The Attorney General of Guam shall be the*  
9 *Chief Legal Officer of the Government of Guam. At such*  
10 *time as the Office of the Attorney General of Guam shall*  
11 *next become vacant, the Attorney General of Guam shall*  
12 *be appointed by the Governor of Guam with the advice and*  
13 *consent of the legislature, and shall serve at the pleasure*  
14 *of the Governor of Guam.*

15       “(2) *Instead of an appointed Attorney General, the leg-*  
16 *islature may, by law, provide for the election of the Attorney*  
17 *General of Guam by the qualified voters of Guam in general*  
18 *elections after 1998 in which the Governor of Guam is elect-*  
19 *ed. The term of an elected Attorney General shall be 4 years.*  
20 *The Attorney General may be removed by the people of*  
21 *Guam according to the procedures specified in section 9–*  
22 *A of this Act or may be removed for cause in accordance*  
23 *with procedures established by the legislature in law. A va-*  
24 *cancy in the office of an elected Attorney General shall be*  
25 *filled—*

1           “(A) by appointment by the Governor of Guam  
 2           if such vacancy occurs less than 6 months before a  
 3           general election for the Office of Attorney General of  
 4           Guam; or

5           “(B) by a special election held no sooner than 3  
 6           months after such vacancy occurs and no later than  
 7           6 months before a general election for Attorney Gen-  
 8           eral of Guam, and by appointment by the Governor  
 9           of Guam pending a special election under this sub-  
 10          paragraph.”.

11 **SEC. 3. LEGISLATIVE QUORUM.**

12          Section 12 of the Organic Act of Guam (48 U.S.C.  
 13          1423b) is amended by striking “eleven” and inserting “a  
 14          simple majority”.

15 **SEC. 4. CLARIFICATION OF LEGISLATIVE POWER.**

16          The first sentence of section 11 of the Organic Act of  
 17          Guam (48 U.S.C. 1423a) is amended—

18               (1) by inserting “rightful” before “subjects”; and  
 19               (2) by striking “legislation of local application”  
 20          and inserting “legislation”.

Amend the title so as to read: “A bill to amend the  
 Organic Act of Guam to clarify local executive and legis-  
 lative provisions in such Act, and for other purposes.”.



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